



BellSouth Telecommunications, Inc.
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October 24, 2001

Guy M. Hicks
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EXECUTIVE SECRETARY

VIA HAND DELIVERY

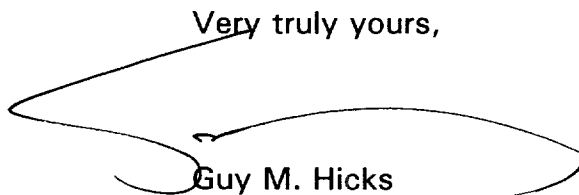
David Waddell, Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37238

Re: *Complaint of Access Integrated Network, Inc. Against BellSouth
Telecommunications, Inc.*
Docket No. 01-00808

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of BellSouth's Response to Access Integrated Network, Inc.'s Motion to Open Show Cause Proceeding. Copies of the enclosed are being provided to counsel of record.

Very truly yours,



Guy M. Hicks

GMH:ch
Enclosure

BEFORE THE TENNESSEE REGULATORY AUTHORITY
Nashville, Tennessee

In Re: *Complaint of Access Integrated Network, Inc. Against BellSouth Telecommunications, Inc.*

Docket No. 01-00808

**BELLSOUTH'S RESPONSE TO ACCESS INTEGRATED NETWORK, INC.'S
MOTION TO OPEN SHOW CAUSE PROCEEDING**

BellSouth Telecommunications, Inc. respectfully submits this Response to the Motion to Open Show Cause Proceeding ("Motion") that was filed in this docket by Access Integrated Network, Inc. ("Access Integrated").¹ As explained below, the Authority should deny Access Integrated's Motion.

First, the allegations set forth in the Motion already are the subject of Complaints filed by both Access Integrated and XO Tennessee, Inc. It is neither necessary, appropriate, nor efficient to convene yet a third proceeding to address matters that already have been raised in two pending proceedings. Instead, the Authority should use the existing proceedings to make any inquiries it deems necessary.

In fact, the Authority was already doing just that before Access Integrated filed its Motion. Four days before the Motion was filed, for instance, the Staff served seven data requests on BellSouth that seek most, if not all, of the seven categories of information suggested on pages 4 and 5 of Access Integrated's Motion. Access Integrated can gain access to the information BellSouth provides

¹ In its Motion, Access Integrated makes various self-serving statements regarding "illegal offers," "evidence of wrongdoing," and other similar characterizations. To the

in response to these requests, and Access Integrated will be able to serve BellSouth with discovery requests seeking additional information if it so desires. Additionally, nothing prevents the Authority from considering the matters raised in Access Integrated's Motion in this docket.

Moreover, on October 22, 2001, the Authority appointed the agency's General Counsel, or his designee, to hear the complaints on their merits and to seek to resolve both complaints within 60 days. The Authority also requested that the Hearing Officer consider consolidating the Complaints.

There is nothing to be gained, therefore, by convening yet another proceeding to address matters that have already been raised in both this proceeding and by the XO Complaint. The Authority, therefore, should deny Access Integrated's Motion to "open a show cause proceeding."

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

By: 

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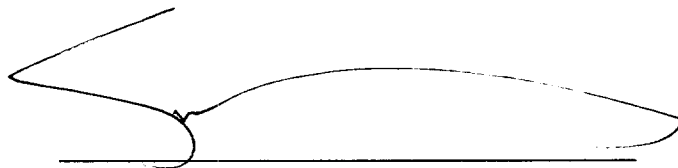
extent that these statements have not been addressed by the pleadings BellSouth has filed in this docket to date, they are denied.

CERTIFICATE OF SERVICE

I hereby certify that on October 24, 2001, a copy of the foregoing document was served on the parties of record, via the method indicated:

- ☐ Hand
- ☐ Mail
- ☒ Facsimile
- ☐ Overnight

Henry Walker, Esquire
Boult, Cummings, et al.
P. O. Box 198062
Nashville, TN 37219-8062

A handwritten signature in black ink, appearing to read "Henry Walker", is written over a horizontal line.